

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

**04CR10132WGY**

|                          |   |                               |
|--------------------------|---|-------------------------------|
| UNITED STATES OF AMERICA | ) |                               |
|                          | ) | CRIMINAL NO.                  |
| v.                       | ) | Count One:                    |
|                          | ) | 8 U.S.C. 1326                 |
| RAFAEL RODRIGUEZ AKA     | ) | (Illegal Re-entry of Deported |
| RAPHAEL RODRIGUEZ AKA    | ) | Alien)                        |
| ERNESTO MORALES          | ) |                               |
| Defendant                | ) |                               |

INDICTMENT

COUNT ONE: 8 U.S.C. § 1326 -- Illegal Re-entry of Deported Alien


The Grand Jury charges that:

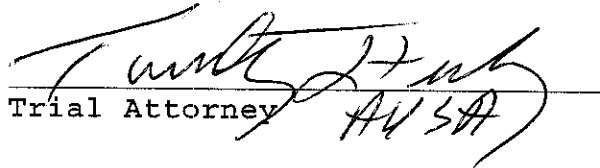
On or about September 22, 2003, at Lynn, in the District of Massachusetts,

RAFAEL RODRIGUEZ, AKA RAPHAEL RODRIGUEZ, AKA ERNESTO MORALES defendant herein, being an alien and having been excluded, deported and removed from the United States, was found in the United States without having received the express consent of the United States Attorney General prior to March 1, 2003, or the express consent of the Secretary of the Department of Homeland Security since that date, to reapply for admission to the United States.

All in violation of Title 8, United States Code, Section 1326(a)(1) and (b)(2) and Title 6, United States Code, Section 202(3) and (4) and Section 557.

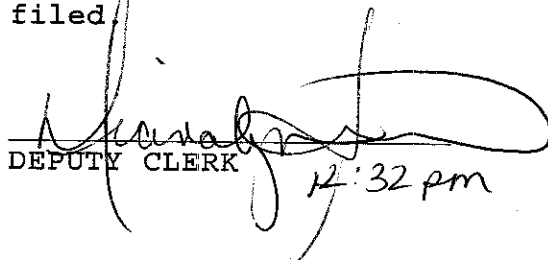
A TRUE BILL

  
FOREPERSON OF THE GRAND JURY

  
Trial Attorney *AVSA*

DISTRICT OF MASSACHUSETTS; April 28, 2004

Returned into the District Court by the Grand Jurors and  
filed

  
DEPUTY CLERK *12:32 pm*